

In The United States District Court For /
the Middle District of Alabama

RECEIVED
Civil action no

Kennedy Minnfield Pro se

Board vs Tordon and People

OCT - 5 2020

Violated his Federal Constitution Rule 38

8th Amendment Constitution

Summons - Acknowledgment

CLERK DISTRICT COURT
MIDDLE DIST. OF ALA.

Federal Rule 39: Request for leave to actually proceed.

Alabama Rules of Federal Civil Procedure.

Alabama Rules Civil Procedure Rule 56(e)

To any United States Federal Marshal or Army

Person authorized by either Rule (4) 1. (b) 2. OR 4(b)

SR (4) 1. (b) 2. of Alabama Rules of Federal Civil Procedure

Must Go by and Service the defendant at the People,

Board at People Board Director Charles Graddick

You are actually hereby commanded by these Rules
to Service this Summons and Complaint to the

Defendant within 30 days. State Claim:

8th Amendment Rights Violated and Federal Constitution

Violation: Violations of his Rights Under the Constitution
or law of the United States Constitution. Violation of

Section 12-25-32- with not comply with their own Section.

Any Prisoner has not done or actually served or done

at least one 1/3 of his sentence or 10 years in

the State Penitentiary require to do before being

Released. Questions of how Minnfield have actually

done over the require time People board

went. He has service or done 36 long years.

Kennedy Minnfield is seeking an immediate
Release from DDC - Custody. NO Money wanted

In the United States District Court for
the Middle District of AlabamaKennedy Minnfield Pro se

Civil Action No

Board of Pardons and Parole et al

RECEIVED

Violated his Federal Constitution Rights

2020 OCT -5 A 11:28

State Claim. Discrimination Claim.DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALAState Claim. 8th Amendment Violation.Rule 39. Request for Full leave to Proceed:Alabama Rules Civil. P. Rule 56(e)State Claim 14th Amendment Constitution-Due Process violation
must be given an fair opportunity to be heard in
open court. Lawsuit and Complaint is beingbrought and filed against Alabama Pardons and
Parole: under 8th Amendment Constitution violation.Cruel and unusual Punishment; State Claim.
Discrimination Claim: *No money wanted.Plaintiff Minnfield, has no other way OR Avenue for
Relief. after 36 long years- immediately Release.Lawsuit and this Complaint is actually being brought
and being filed against the Parole board of this
time's State claim 8th Amendment Constitution Violation.Discrimination Claim- Plaintiff Minnfield is Request
for immediate Release after 36 years.Challenging Section 12-25-32. Parole board are in
Violation & F: State any Person has not done OR
Served one 1/3 of his Sentence OR time: OR 10
years in the State Penitentiary OR Required to do.
allow Record to Show Plaintiff Minnfield has
done over it. 36 long years day for day.Plaintiff Minnfield Request for 1. Fair opportunity
to be Release after 36 years.State Claim. Prison System OVER CROWDING.

~~RECD BY OFFICE~~Evidence he has a lot
of them.

STATE OF ALABAMA

DEPARTMENT OF CORRECTIONS

Supervisor/Correctional Officer Report

1. Institution:	SCCF	2. Date:	4-9-12
3. Inmate Name:	Kennedy Minnfield	4. AIS#:	130651
5. Job:	Chapel Worker	6. Race:	Black
7. Sex:	Male	8. Reason for Report:	I feel he strives hard to achieve his actions and attitude merit him privileges he may be eligible for parole
9. Number of hours supervised per day:		10. Supervision is:	<input type="checkbox"/> Direct <input checked="" type="checkbox"/> In-direct
11. Evaluation Areas: Provide a brief response to each of the following. If you do not know about a particular area please say so. Do not answer good or bad without giving the specific reason (s) behind your answer.			
A. Adjustment to Incarceration: <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Excellent			
Comments: Has overall good attitude and has adjusted well			
B. Work Performance: <input type="checkbox"/> Maligner <input type="checkbox"/> Gets By <input checked="" type="checkbox"/> Performs Well <input type="checkbox"/> Unusually Good Worker			
Comments: Has always done a good job whenever asked to do so			
C. General Attitude: <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Excellent			
Comments: Has a good demeanor			
D. Relationship with Other Inmates: <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Good <input type="checkbox"/> Excellent			
Comments: Generally gets along well with other inmates			
E. Relationship with Correctional Staff: <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Good <input type="checkbox"/> Excellent			
Comments: Generally get along well with staff, no discolor			
F. Utilization of Spare Time: <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Constructive			
Comments: Keeps busy with physical activities and goes to ch			
G. Personal Appearance: <input type="checkbox"/> Unkempt <input type="checkbox"/> Average <input checked="" type="checkbox"/> Always Well Groomed			
Comments: Keeps personal hygiene up, always meet standards, clothed with clothing			
H. Maintenance of Living Area: <input type="checkbox"/> Messy <input type="checkbox"/> Average <input checked="" type="checkbox"/> Neat and Tidy			
Comments: Living quarters are very clean.			
12. Certification: I am aware that this report can be used in consideration of less restrictive placement, change of custody, or restoration of Good Time.			
Tertius McKee (Co)		Signature	A-Day
Name of Supervisor/Correctional Officer		Signature	Position/Title
13. Shift Commander Review:			
Carla Graham (I)		Signature	4-7-12
Shift Commander Name		Date	Shift

Carla Graham - Shift 1 - 4-7-12 - A Day

Legal Argument

Grounds for immediate Release

Violations of his Rights under Constitution

or laws of the United States: Challenge

Parole board are in Violation of they own on

Section 12-25-32- The board Shall not Grant

a Parole to any Prisoner who has not Served
at least one third or 10 years of his

Sentence; which ever is the lesser- except

by a unanimous Affirmative Vote of
the board: See Exhibit-Documents:

State Claim 8th Amendment Violation-

Under cruel and unusual punishment.

~~Kennedy Minnfield~~ has actually done over
the time is actually Required From Parole
Board: Allow Record Show he has do
36 years in D.C. Prison:

Due to all the time he has after done
will the Federal Court Step in and ORDER:

The Parardon and Parole to immediately
Release Kennedy Minnfield.

After 36 years he ask for an immediate
Release.. no Money want in this action.

State Claim- Alabama Prison System is

~~# actually suffering from Prison Overcrowding~~

Request that this honorable Court Proceed under

its own Rules 39- to Review this MATTERS

and Complain and to ~~Re~~ Reverse the

Judgment of the Parole Board.

Constitution Right must be heard

See Document

§ 15-22-28. Investigations. [Effective until September 1, 2019] Investigation Request For Request For An Investigation On Parole Board

(a) It shall be the duty of the Board of Pardons and Paroles, upon its own initiative, to make an investigation of any and all prisoners confined in the jails and prisons of the state, through use of a validated risk and needs assessment as defined in Section 12-25-32, with a view of determining the feasibility of releasing the prisoners on parole and effecting their reclamation. Reinvestigations shall be made from time to time as the board may determine or as the Department of Corrections may request. The investigations shall include such reports and other information as the board may require from the Department of Corrections or any of its officers, agents or employees.

(b) It shall be the duty of the Department of Corrections to cooperate with the Board of Pardons and Paroles for the purpose of carrying out the provisions of this article.

(c) Temporary leave from prison, including Christmas furloughs, may be granted only by the Commissioner of Corrections to a prisoner for good and sufficient reason and may be granted within or without the state; provided, that Christmas furloughs shall not be granted to any prisoner convicted of drug peddling, child molesting or rape, or to any maximum security prisoner. A permanent, written record of all such temporary leaves, together with the reasons therefor, shall be kept by such commissioner. He shall furnish the Pardon and Parole Board with a record of each such leave granted and the reasons therefor, and the same shall be placed by the board in the prisoner's file.

(d) No prisoner shall be released on parole except by a majority vote of the board. The board shall not parole any prisoner for employment by any official of the State of Alabama, nor shall any parolee be employed by an official of the State of Alabama and be allowed to remain on parole; provided, however, that this provision shall not apply in the case of a parolee whose employer, at the time of the parolee's original employment, was not a state official.

Burden of Proof - State Claim - Abuse of Power Exhibit

(e) For violent offenses as defined in Section 12-25-32, the board shall not grant a parole to any prisoner who has not served at least one third or 10 years of his sentence, whichever is the lesser, except by a unanimous affirmative vote of the board.

HISTORY: It tell how must time to spend in prison Requires

Acts 2015, No. 15-185, § 3, Jan. 30, 2016.

Kennedy Mannfield has done 36 long years in. He is request to be Release immediately Supporting evidence

ALCODE

Burden of Proof Challenge Section 15-22-28

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MW
12-25-22

**Alabama Department of Corrections
Sick Call Request**

**Reason for Sick Call Request:**

~~Problem~~

Name (print): Kennedy Mappfield AIS #: 130657 Date of Birth 6-7
 Institution: Limestone Housing Area: D2B Date: 9-17-20

Sick Call Form Collected by Health Staff: _____ (initials) Title: _____ Date: _____ Time: _____

Request Triaged (check as appropriate):

A. Sick Call Nurse Encounter Not Required

(1) Referring to Chronic Care Manager

(2) Written Response/Instruction Being Provided

B. Nurse Sick Call Encounter Required

(1) Bring to HCU at this time for further evaluation

(2) Evaluate in next scheduled Nurse Sick Call Clinic

Signature/Title: Kennedy Mappfield

Date: 9-17-20

Sick Call Encounter (Nurse Evaluation Tool Completed):

1 Resolved by Nurse Encounter

2 Referral for follow up required; to be scheduled

Co-Pay Fee Incurred:

\$4.00 - Nurse

(a) Medical Provider

\$4.00 - OTC(s); If Restrictive Housing-no OTC charge

(b) Dental Clinic

\$4.00 - Scheduled but Refused Encounter

(c) Mental Health Services

(d) Other: _____

Inmate Name: Kennedy Mappfield

AIS# 130657

He was a 17 years old Juvenile
when he was Arrested. No he is 53 years old

State of Alabama Form 82 (Special)	<u>TRANSCRIPT of RECORD Show All</u> <u>this</u> (Conviction Report)					
In The CIRCUIT Court of JEFFERSON County						
STATE OF ALABAMA						
vs.						
NAME/ ALIASES	Kennedy Minnifield * Kennedy Minniefirle * Larry Davis					
INMATE DESCRIPTION	DOB [REDACTED] 67	Sex [] M [] F	Height 5-8	Weight 160	Hair Color Black	SID AIS
	Race [] W [] B [] Other (specify)	Complexion		Age (If DOB missing)	Distinguishing F	
ARREST INFORMATION	Date of Offense UNK			Initial Arrest Date See Nov, 2, 1984	Arresting Of	
CHARGES LITERAL	On Conviction: Robbery 1					
COURT INFORMATION	Judge Name Hon. William Cole			Prosecuting Attorney Name Hon. David Barber		
PROBATION INFORMATION	Applied for: [] Yes [] No	Date:	Granted: [] Yes [] No	Date:	Rearrested: [] Yes [] No	Date: []
SENTENCE INFORMATION	Term of Confinement YR MO DA [] 1	Act 754-76 [] Yes [] No		Probation Term (If Act 754) YR MO DA	Jail Credit Ordered [] Yes [] None [] 1	
	Date Sentenced: 4-18-86	Date Sentence Begins 4-18-86				
SENTENCE PROVISIONS	<input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive					
OTHER SENTENCE PROVISIONS	<input checked="" type="checkbox"/> Habitual Offender <input checked="" type="checkbox"/> Youthful Offender (Act 335-72) <input type="checkbox"/> Restitution (Specify & Attach Order) <input type="checkbox"/> Recoupment (Specify & Attach Order) <input type="checkbox"/> Life <input type="checkbox"/> Life w/o Parole <input type="checkbox"/> Death					
APPEAL INFORMATION	[] Yes [] No	Sentence Suspended Date: Pending Appeal [] Yes [] No			Sentenced Affirmed: Da [] Yes	
	3-5-86 We, the Jury, find the defendant guilty of Robbery in the first degree as charged in the indictment. STEVE J. BOSWELL, Foreperson			This is to certify was extracted from the records and is true the record.		

Date of Birth		CASE ACTION SUMMARY			
Date of Birth	Date of Birth	JUVENILE			
		IN THE JUVENILE COURT OF [Redacted]			
Name		DOB	Case Number		
McMullen, Kennedy		[Redacted]	ST 30 84 52503		
Address		Sex	Race	Grade	
[Redacted]		M.	B		
Phone Number		School	[Redacted]		
Charge		Case Type		All	
Robbery 1st		(fel)		<i>(Redacted)</i>	
Prob Date	I.O.	P.D.A.C.W.		Do not use C	
West				<i>illegal</i>	
Disposition Action & Date:		Parent/Custodian		Attion	
		Self		<i>All</i>	
Address		Phone Number		For Child	
				<input checked="" type="checkbox"/>	
DATE	ACTIONS, JUDGMENTS, AND CASE NOTES				
11-1-84	<p>This cause coming on for hearing and there being present in open court the child with his attorney, Tony Valletta, the Deputy District Attorney, F. W. Klemens, III, and</p> <p>It being shown to the Court that a MOTION to Transfer has been filed in this cause by the Deputy District Attorney, the Court ascertains the child and his attorney understood the purpose of this hearing, MOTION to Transfer, and hearing in this cause; that the child, his attorney and the Deputy District Attorney have agreed to stipulate facts to cause which would establish probable cause that said child did on the 16th day of October, 1984, in the Birmingham District of Jefferson County, Alabama, in the course of committing a theft of approximately Three-hundred-and-one (\$301.00) Dollars in the legal currency of the U.S.A., the property of Mrs. Wimber Children, use force against the person of Elzie W. with intent to overcome his physical resistance or physical power while the said child was armed with a dangerous weapon, to wit: shotgun, in violation of Title 13A-8-41 of the Code of Alabama, a true peace and dignity of the State of Alabama, as alleged in the indictment.</p> <p>The Court being informed that parties also agree to stipulate report of Probation Services of this court which includes a criminal record of the child which shows that he has been previously been transferred to the Criminal Court in two separate cases, that he has served approximately three (3) years in the Juvenile Department and</p>				

State Claim Burden of Proof

the evidence and facts necessary to entitle him to said
Special Argument Relief

In order to determine which of these three interpretations implements the intent of the Legislature, we need to consider the history of section 15-22-28(e) of the Code of Alabama. In 1939, the Constitution of Alabama was amended, transferring the power to grant pardons and paroles from the Governor to the Legislative Branch. Amendment No. 38 expressly granted to the Legislature two sets of powers: the power to "provide for" and the power to "regulate" the administration of pardons and paroles. Act No. 275 of the 1939 Legislative Session provided for the administration of pardons and paroles by creating an independent board and spelling out its powers. 1939 Ala. Acts No. 275, 426. Act No. 21, in 1951, created the Special Legislative Committee Investigating Pardons and Paroles, as an exercise of its power to regulate the administration of pardons and paroles. 1951 Ala. Acts No. 21, 194.

EXHIBIT

The provision now appearing as section 15-22-28(e) of the Code of Alabama was enacted in 1951, after the special committee conducted a thorough investigation of irregularities at the Parole Board. This provision was first enacted in section 8 of Act No. 599. 1951 Ala. Acts No. 599, 1030. The Committee Report made eleven legislative recommendations, designated by the letters "A" through "K." Recommendation "H" stated: "The Board should be prohibited from paroling any prisoner until he has served at least one third of his sentence or ten years in the penitentiary, whichever is the lesser, except by a unanimous affirmative vote of the Board." *Report of the Special Legislative Committee Investigating Pardons and Paroles* at 3 (1951). Prior to enactment of Act No. 599, a majority of the Board could grant parole at any point in the sentence.

See this Document

All Supporting evidence Burden of Proof
 It appears that the Legislature intended to ensure that each prisoner served enough time to allow the Board to make a reasonable evaluation of his progress toward rehabilitation. Any of the three interpretations hypothesized is consistent with this intention. The Committee that drafted the statute and urged its adoption told their colleagues that they believed a reasonable benchmark was "one third of the sentence or ten years in the penitentiary, whichever is the lesser." (See Committee Report, "Legislative Recommendations," ¶H, p. 6.). We believe great deference should be given to the longstanding interpretation of the Board. Moreover, the interpretation is consistent with what the Legislature intended. Kennedy Minnifield has done 36 long years

See this Document

Abuse of Power

The Legislature has amended and reenacted the parole statutes several times since 1951. If the Legislature disagreed with the Board's administrative interpretation of this statute, it could have amended the statute to clear up the ambiguity. It is reasonable to infer that the Legislature intended, when it enacted the 1975 Code, to adopt each section

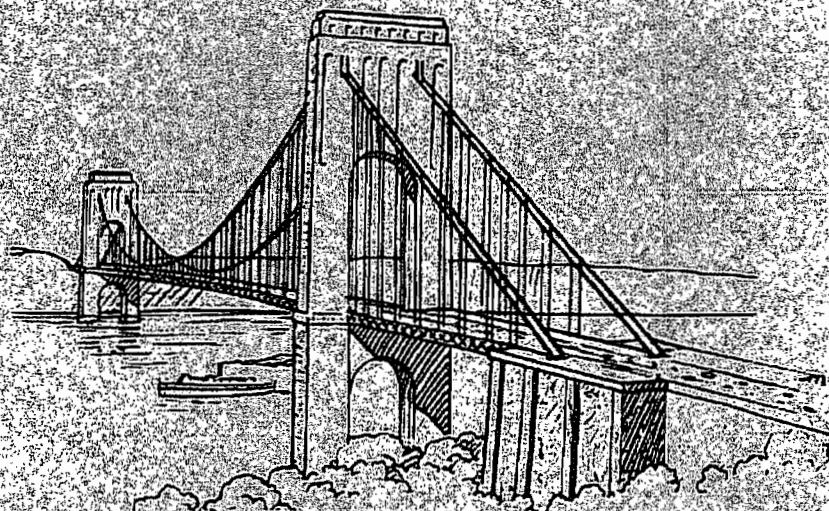
New - Discovery - New

CORE
Graduation
Class of 2019

Transforming Lives by Renewing Minds

Sunday, October 6, 2019

1:00 PM



Bridging the Gap Between Corrections and Community

The Graduates

See

CORE Class of 2019

Charlie Alexander, John Ballard, Demetrius Bradford, Michael Cody, Frederick Dumas, Devan Ellis, Samuel Fluker, Frank Gooden, Jason Hall, Benjamin Hardy, Aubrey Lavender, Anthony Leeks, Lacedrick Lindsey, Louie Mauldin, John Means, Phillip Menefee, Shane Miskelley, Ricky Padgett, Joseph Russell, Gary Stovall, Detrick Tyler, Fletcher Turner, Gary White, James Williams, Jermaine Williams, and Timothy Wright

See Rehabilitation Programs

CORE+ Class of 2019

Alan Adams, Manuel Alvarez, Troy Archie, Theodore Bonner, Tony Bradford, Darren Coleman, Joseph De-Camp, Gregory Dowdell, Jeff Hamby, Samuel Hendrix, Christopher Hughes, Timothy Hullett, Mikeal Lemmon, Larry Massey, Robert Mathis, Jessie McDole, Willie Meeks, Robert Merrill, Justin Miller, Kenny Minfield, Dwight Moneyham, Mark Moore, Jamie Pugh, Marvin Ridley, Frederick Rincher, Jorge Romero, Richard Sandlin, Willie Triplett, Corey Wood, and Arthur Woodruff

Just 1 opportunity to be released
on parole

CORE Green Class of 2019

David Bean, Reginald Beck, Kevin Collins, Donald Daniel, Kenneth Davis, Kendrick Gray, Eric Green, Zachary Halstead, Jeremiah Hamill, Earl Hawkins, Matthew Kinney, Clempson Martin, John Rogers, Charles Smith, Wayne Spruiell, Thomas Summers, William Thompson, Jarod Turner



RACHEL
GOVERNOR



COMMISSIONER

Certificate of Completion

Presented to

KENNEDY MINNIFIELD

AIS #130651

*for successful completion of the
“LIFE SKILLS”*

February 11, 2020

Bibb County Correctional Facility
Brent, Alabama

A handwritten signature of Annette Smith.

Annette Smith ADA Coordinator

A handwritten signature of Jerry L. Thomas.

Jerry L. Thomas
Warden's Signature

See - Rehabilitation Programs

Sponsored by:

The Alabama Department of Corrections
Psychological Services

Grounds For Relief

State Claim - Alabama Prison System is actually Suffering From Overcrowding.

State Claim - 14th Amendment Constitutional Rights

the Law and the Constitution Apply to all 45 equally and the same.

the United States Constitution Actually Sure him Said Relief or to be Released

Under Equal Opportunity 1. Fair ~~Opportunity~~ opportunity to make Parole as well;

See Case - NewMan vs. Alabama 6.83. F.2d. 1312. 1982.

Violations his Rights Under the ~~Constitution~~ ~~Constitution~~ or laws of the United States. ~~Constitution~~ or

Challenging the ~~Court~~ Constitution and Laws.

Legal Argument Request For Legal Argument

Hearing: All these High Risk Cases the Parole Board has Granted them Parole. Over and over

Murder Cases - Rape Cases - Sexual Molestation Cases. Sexual assault and Robbery Cases.

After Federal Court Review this legal Argument Court will actually Agree.

Giving an Fair Opportunity to Make Parole.

The Pleader is entitled to make Parole too.

State a Claim - which Relief can be Granted.

The United States Constitution Sure him Relief under the 14th Amendment Equal Protection of

Law Clause: Constitution Right.

Constitution Violation must be heard.

Alabama Department of Corrections

Sick Call Request

**Reason for Sick Call Request:**

Name (print):

AIS #

Date of Birth

Institution:

Housing Area:

Date:

Sick Call Form Collected by Health Staff:

(initials) Title:

Date:

Time:

Request Triaged (check as appropriate)A. Sick Call Nurse Encounter Not Required(1) Referring to Chronic Care Manager(2) Written Response/Instruction Being ProvidedB. Nurse Sick Call Encounter Required(1) Bring to HCU at this time for further evaluation(2) Evaluate in next scheduled Nurse Sick Call Clinic

Signature/Title:

Date:

Sick Call Encounter (Nurse Evaluation Tool Completed):1 Resolved by Nurse Encounter2 Referral for follow up required; to be scheduled**Co-Pay Fee Incurred:** \$4.00 - Nurse(a) Medical Provider \$4.00 - OTC(s); If Restrictive Housing-no OTC charge(b) Dental Clinic \$4.00 - Scheduled but Refused Encounter(c) Mental Health Services(d) Other: _____

Inmate Name

AIS#

Conclusion demand for a Juay trial

Please Acknowledgment

Plaintiff Minnfield has no other way OR NO
Other Avenue after 36 long years to be

Release:

See Rule 39. A.R. Civil Procedure:

State Claim Challenging the Parole decision.

and Challenging Section 12-25-32 in violation

of. This is what i want Federal Court to do:

Request this Federal Court Reverse any and
all Judgment of the Parole Board Please:

after 36 long years he is actually

Request For immediate Release.

Questions of Laws after 36 long years

Can Kennedy Minnfield be Giving Just

(1) Fair opportunity to be Release?

Request For a Federal Court ORDER to have
him Release. Request For Oral Argument

hearing. 14-12 Amendment- Due Process Violation

must be Giving an Fair Opportunity to be heard
in open Court.

Certificate of Service

I have Put a copy of this lawsuit in

D.B.C. Mail Box #25-20

Kennedy Minnfield